

UNITED STATES OF AMERICA, :
Plaintiff, : Civil No. 1:07CV00277
:
v. :
:
\$7,000.00 in U.S. CURRENCY :
:
and :
:
2003 NISSAN 350Z, :
VIN JN1AZ34E43T002843, :
Defendants. :

NOW COMES the United States of America, by and through Anna Mills Wagoner, United States Attorney for the Middle District of North Carolina, and respectfully moves this Honorable Court to compel the Claimant, Kendal Brumby, a/k/a Ken d El Bey, pursuant to Fed. R. Civ. P. 37(a), to respond completely and fully within (10) days to the United States' First Set of Interrogatories and First Request for Production of Documents, which were served on Claimant on or about November 1, 2007. In support of this motion, the United States respectfully submits its Memorandum in Support, including Government Exhibits ("GE") A thru D.

WHEREFORE, the United States respectfully requests that the Court compel the Claimant, Kendal Brumby, a/k/a Ken d El Bey, to respond to the Plaintiff's discovery requests, or face sanctions as provided in Fed. R. Civ. P. 37(b)(2).

This the 11th day of February, 2008.

ANNA MILLS WAGONER
UNITED STATES ATTORNEY

/s/ Lynne P. Klauer
Lynne P. Klauer
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CERTIFICATE OF SERVICE

I hereby certify that on February 11, 2008 the foregoing Plaintiff's Motion to Compel Response to Discovery was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: [None] and I hereby certify that the document was mailed to the following non-CM/ECF participant:

Addressee:

Kendal Brumby, a/k/a Ken d El Bey
4826 Kingswell Drive
McCleansville, NC 27301

Respectfully submitted,

ANNA MILLS WAGONER
UNITED STATES ATTORNEY

/s/ Lynne P. Klauer
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